

HOUSE BILL 9054

By Griffey

AN ACT to amend Tennessee Code Annotated, Title 49;
Title 58, Chapter 2 and Title 68, Chapter 1, Part 2,
relative to establishing a uniform standard
regarding COVID-19 exposure.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, is amended by adding
the following as a new part:

49-50-1801. As used in this part:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and
coronavirus disease 2019, commonly referred to as COVID-19, including any
mutation of SARS-CoV-2 or COVID-19;

(2) "Exposed to a person who tests positive for COVID-19" means
coming within six (6) feet of a person, for a cumulative total of fifteen (15)
minutes in a twenty-four-hour period, who tests positive for COVID-19 within two
(2) days from the time of contact;

(3) "Quarantine" means a period of time in which a person:

(A) Is isolated from others on school property; or

(B) Is prohibited from entering school property for school
activities, including classroom instruction;

(4) "School property" means all property used for school purposes; and

(5) "Symptom of COVID-19" means:

(A) Fever;

(B) Cough;

(C) Shortness of breath or difficulty breathing;

- (D) Fatigue;
- (E) Muscle or body aches;
- (F) Headache;
- (G) Chills;
- (H) New loss of taste;
- (I) New loss of smell;
- (J) Sore throat;
- (K) Congestion or runny nose;
- (L) Nausea or vomiting; or
- (M) Diarrhea.

49-50-1802.

(a) The department of education, the state board of education, a local board of education, a public charter school governing body, a child care program as defined in § 49-1-1102 that directly receives state funds, state universities as defined in § 49-7-166, a state community college, or a state college of applied technology shall not adopt or implement a policy or rule that:

(1) Requires a student, teacher, or other school personnel who is exposed to a person who tests positive for COVID-19 to quarantine for any period of time if:

(A) The exposure does not result in the exposed student, teacher, or school personnel experiencing a symptom of COVID-19; or

(B) The exposed student, teacher, or school personnel tests negative for COVID-19 after experiencing a symptom of COVID-19; or

(2) Requires a student, teacher, or other school personnel to receive a COVID-19 test in order to attend school in person unless the student, teacher, or school personnel experiences a symptom of COVID-19.

(b) By November 30, 2021, each local board of education, public charter school governing body, child care program as defined in § 49-1-1102 that directly receives state funds, state universities as defined in § 49-7-166, a state community college, and a state college of applied technology shall adopt and implement a policy or rule that authorizes a student, teacher, or other school personnel to attend the school or program in person if the student, teacher, or school personnel:

(1) Tests negative for COVID-19 after experiencing a symptom of COVID-19; and

(2) Is not prohibited or exempt from attending the school or program in person for any reason unrelated to COVID-19.

49-50-1803.

(a) Notwithstanding title 68, the commissioner of health; a county health officer, as described in § 68-2-603; a district health director, as described in § 68-2-704; or any other state, district, municipal, or county health officer shall not require a student, teacher, or other school personnel to quarantine from a public school, a child care program as defined in § 49-1-1102 that directly receives state funds, state universities as defined in § 49-7-166, a state community college, or a state college of applied technology due to being exposed to a person who tests positive for COVID-19 unless the student, teacher, or other school personnel:

(1) Tests positive for COVID-19; or

(2) Experiences a symptom of COVID-19.

(b) Notwithstanding subdivision (a)(2), if a student, teacher, or other school personnel experiences a symptom of COVID-19 and subsequently tests negative for COVID-19, then the student, teacher, or other school personnel shall not be quarantined from a public school, child care program as defined in 49-1-1102 that directly receives state funds, state universities as defined in § 49-7-166, a state community college, and a state college of applied technology due to COVID-19.

SECTION 2. Tennessee Code Annotated, Section 58-2-107, is amended by adding the following as a new subsection:

(n) During a state of emergency, major disaster, or natural disaster, the state, a political subdivision, a public official, the commissioner of health, or a local health department shall not require a local board of education or charter school governing body to adopt or implement a policy prohibited under title 49, chapter 50, part 18.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 1, Part 2, is amended by adding the following as a new section:

(a) Notwithstanding title 68, the commissioner of health; a county health officer, as described in § 68-2-603; a district health director, as described in § 68-2-704; or any other state, district, municipal, or county health officer shall not require a student, teacher, or other school personnel to quarantine from a public school, a child care program as defined in § 49-1-1102, state universities as defined in § 49-7-166, a state community college, or a state college of applied technology due to being exposed to a person who tests positive for COVID-19, as defined in § 49-50-1801, unless the student, teacher, or other school personnel:

- (1) Tests positive for COVID-19; or
- (2) Experiences a symptom of COVID-19 as defined in § 49-50-1801.

(b) Notwithstanding subdivision (a)(2), if a student, teacher, or other school personnel experiences a symptom of COVID-19, as defined in § 49-50-1801, and subsequently tests negative for COVID-19, then the student, teacher, or other school personnel shall not be quarantined from a public school, child care program as defined in § 49-1-1102, state universities as defined in § 49-7-166, a state community college, and a state college of applied technology due to COVID-19.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.